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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

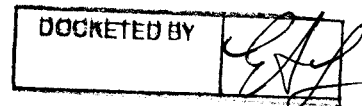
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DOCKETED

JUL 30 2014

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

AZ CORP COMMISSION
DOCKET CONTROL



IN THE MATTER OF THE APPLICATION
OF DII-EMERALD SPRINGS, L.L.C. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WASTEWATER
SERVICES.

DOCKET NO. WS-20794A-11-0140

IN THE MATTER OF THE APPLICATION
OF DII-EMERALD SPRINGS, L.L.C. FOR
APPROVAL OF RATES.

DOCKET NO. WS-20794A-11-0279

IN THE MATTER OF THE APPLICATION
OF DOYLE THOMPSON FOR APPROVAL
OF A CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE SEWER
SERVICES.

DOCKET NO. SW-20851A-12-0226

FIFTH
JOINT STATUS UPDATE

COMES NOW Intervenor Emerald Springs Homeowners' Association and Intervenor Rohana, Inc. and Charles Dunn Capital, Inc., by and through their respective undersigned counsel, and hereby submit a Fifth Joint Status Update as follows:

A. Documentation Establishing the Formation of the Sewer District for the Ehrenberg Area

Attached hereto as Exhibit A, please find a copy of the Order for the formation of the sewer district.

B. How the Formation of the Sewer District Impacts the CC&N Service Area

The Sewer District currently serves real property owned by Waltco/Robhana and the board members (Exhibit B) and can provide services to others upon application. Because the Emerald Springs HOA is not a legally recognized sewer provider, the Sewer District proposes to be the legal provider for the area, intends to contract with Mr. Thompson, and to be the sewer provider in the area.

C. Recommendations for Case Resolution

The Intervenor recommend that DII's and Mr. Thompson's applications be denied due

1 to the formation of the sewer district as the area now has a legal provider with the authority to
2 provide sewer services in the area.

3 **D. Further Information**

4 The Intervenors are not opposed to this matter being set for a status hearing should
5 there be a need for questioning or additional information.

6 RESPECTFULLY SUBMITTED this 30 day of July, 2014.

7 **CHURCHILL & LaBENZ**

8 **MOYES, SELLERS & HENDRICKS**

9 

10 Julie A. LaBenz
11 Churchill & LaBenz
12 1300 Joshua Ave., Ste. B
13 Parker, AZ 85344
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(928) 669-5376 (fax)
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Attorney for Intervenor Emerald Springs HOA

10 

Steven Wene
Moyes, Sellers & Hendricks
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(602) 274-9135 (fax)
swene@law-msh.com
Attorney for Intervenor Robhana, Inc. &
Charles Dunn Capital, Inc.

1 Original and 15 copies mailed
2 this 50 day of July, 2014, to:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, Arizona 85007

7 Copy of the foregoing mailed
8 this 30 day of July, 2014, to:

9 Henry Melendez
10 DII-Emerald Springs, L.L.C.
11 212 East Rowland Street, No. 423
12 Covina, CA 97723
13 diigroup@aol.com

14 Steve Wene
15 MOYES SELLERS & HENDRICKS
16 1850 N. Central Ave., Ste. 1100
17 Phoenix, AZ 85004
18 Attorney for Robhana, Inc. and Charles Dunn Capital, Inc.

19 Doyle Thompson
20 COPPER STATE GAME CLUB, R.V. AND MOBILE HOME PARK
21 P.O. Box 287
22 Ehrenberg, AZ 85334

23 Janice Alward, Chief Counsel
24 Legal Division
25 ARIZONA CORPORATION COMMISSION
26 1200 West Washington Street
27 Phoenix, AZ 85007

28 Steven M. Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Courtesy Copy provided by mail
this 30th day of July, 2014, to:

Dennis Price
P.O. Box 1125
Ehrenberg, AZ 85334-1125

By: Donnelly Herliert

Exhibit A

2014-01511

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Requested By: Lpc Board Of Sup

SHELLY D BAKER, RECORDER

OFFICIAL RECORDS OF LA PAZ COUNTY, AZ

04-23-2014 10:20 AM Recording Fee \$0.00

WHEN RECORDED MAIL TO:

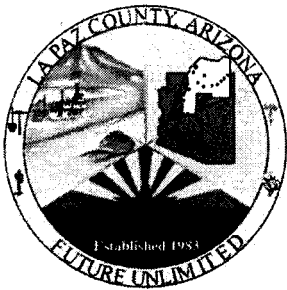
Board of Supervisors
1108 Joshua Avenue
Parker, Arizona 85344

(This space reserved for recording information)

CAPTION HEADING:

Order of Establishment

Ehrenberg Improvement District of LPC



La Paz County Board of Supervisors

1108 Joshua Avenue
Parker, Arizona 85344

(928) 669-6115 TDD (928) 669-8400 Fax (928) 669-9709

www.co.la-paz.az.us

D. L. Wilson	- District 1	Daniel G. Field	- County Administrator/
King E. Clapperton	- District 2		Clerk of the Board
Holly Irwin	- District 3		

ORDER OF ESTABLISHMENT

EHRENBURG IMPROVEMENT DISTRICT OF LA PAZ COUNTY, ARIZONA

WHEREAS, pursuant to Title 48, Chapter 6, Arizona Revised Statutes ("A.R.S."), as amended ("Improvement District Act"), a petition has been received by the Board of Supervisors of La Paz County, Arizona ("Board"), requesting establishment of the Ehrenberg Improvement District of La Paz County, Arizona ("District"); and

WHEREAS, A.R.S. § 48-906 of the Improvement District Act authorizes the Board by final order to grant the petitioners' request to establish the District boundaries, to designate land included therein, and to designate the District corporate name; and

WHEREAS, said Petition requests the formation of the District; and

WHEREAS, pursuant to A.R.S. § 48-1012, the Petition requests the Board of Supervisors determine that the District be governed by a board of directors composed of five members and recommends as directors certain Property owners, who are also in all respects qualified electors of the State and own land within the boundaries of the District; and

WHEREAS, pursuant to A.R.S. § 48-905, a hearing on the Petition was scheduled for April 7, 2014, by the Board following notice of said hearing as provided by law, including publication in the Parker Pioneer; and

WHEREAS, said hearing was continued by the Board at its April 7, 2014, meeting to April 21, 2014; and

WHEREAS, the Board finds that petitioners are real property owners qualified to petition for District formation and organization and that the Petition has been signed by the requisite number of owners of real property; and

WHEREAS, the Board finds that all applicable District formation laws have been satisfied; and

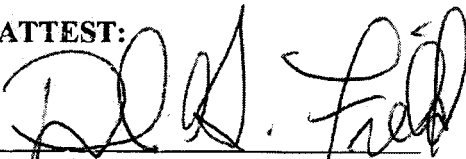
WHEREAS, the matter having come before the Board for hearing on April 21, 2014, and the Board having heard all interested property owners on all matters relating to establishing the District, the Board finds that the District will benefit all land therein by acquiring and/or constructing improvements and will promote public convenience, necessity and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LA PAZ COUNTY, ARIZONA, that:

1. The request of the petitioners is granted. An improvement district is hereby formed and organized, and shall exist pursuant to the Improvement District Act, under the name Ehrenberg Improvement District, by which name it shall be known in all proceedings hereafter.
2. The District shall be a special purpose district and a municipal corporation for all applicable purposes. These purposes consist of, but are not limited to, the purposes prescribed in § 48-909(A) as well as the related powers prescribed in A.R.S. § 48-909(B), and A.R.S. § 48-910.
3. The District shall consist of all of the property described in Exhibit A ("Property") and the Property shall be the basis for, and subject to, all taxes, assessments, tolls, and charges levied by the District and the basis of the vote at all elections of the District.
4. Pursuant to A.R.S. § 48-1012, the District shall be governed by a board of directors composed of five members and the following Property owners are selected as its initial directors: (1) Christina Balvanz; (2) Luis Corral; (3) Dennis Morin; (4) Dennis Price; and (5) John Salazar.
5. Copies of this Order shall be filed with the La Paz County Recorder, La Paz County Assessor, the Arizona Department of Revenue, and such other governmental agencies as are required or appropriate under applicable law. The Board and all other County officials are hereby authorized to execute all such documents and instruments and take all such actions as may be proper, necessary or appropriate in connection with this Order and the final organization and operation of the District.
6. The map of the Property referenced in Exhibit A is hereby approved as the official map designating the lands included in the boundaries of the District.


PASSED, ADOPTED AND APPROVED by the La Paz County Board of Supervisors this 21st day of April, 2014.

ATTEST:


Dan Field, Clerk of the Board


D. L. Wilson, Chairman

APPROVED AS TO FORM:


R. Glenn Buckelew, Deputy County Attorney

La Paz County Board of Supervisors
Order of Establishment
Page 3 of 3

EXHIBIT A

**LEGAL DESCRIPTION AND MAP REFERENCE OF THE LANDS INCLUDED IN THE
EHRENBURG IMPROVEMENT DISTRICT**

Exhibit A

The geographic boundaries of the proposed Ehrenberg Improvement District are as follows:

A portion of Section 2, Township 3 North, Range 22 West, Gila and Salt River Base & Meridian, La Paz County, Arizona, more particularly described as follows:

Lot 10, LA PAZ ESTATES UNIT 1, according to the plat thereof of record at recording numbers 88-6918 and 89-0508 of the Official Records of La Paz County, Arizona, being the same land described in Joint Tenancy Deed to Dennis J. Morin, Jr. and Kay Lynn Morin recorded 06-09-1989 at recording number 89-2944 of the Official Records of La Paz County Arizona; Parcel B-2C, as shown on survey recorded May 16, 2001 at Document No. 2001-02195, records of La Paz County, Arizona, being the same land described as Parcel B-2C in Parcel Split Request from Survey by Jerry Balvanz and Christina Balvanz recorded 09-06-2001 at recording number 2001-03765 of the Official Records of La Paz County Arizona.

A portion of Sections 3 & 10, Township 3 North, Range 22 West, Gila and Salt River Base & Meridian, La Paz County, Arizona, more particularly described as follows:

Parcel No. 1 described in Trustee's Deed Upon Sale to Waltco of Nevada Profit Sharing Plan, a Nevada Corporation, and to Robhana, Inc., a California Corporation, and recorded 01-19-2011 at recording number 2011-00283 of the Official Records of La Paz County, Arizona.

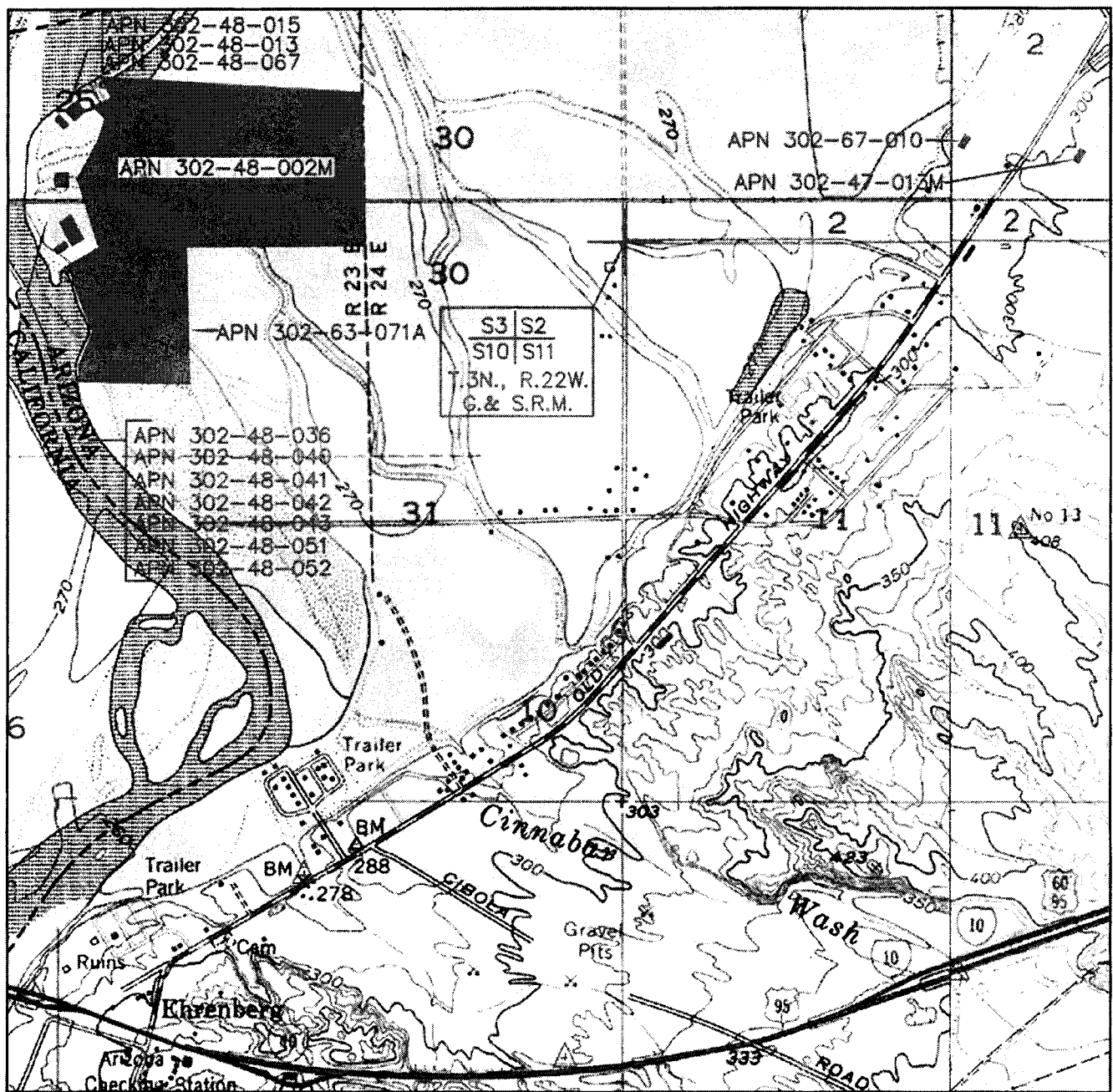
A portion of Section 10, Township 3 North, Range 22 West, Gila and Salt River Base & Meridian, La Paz County, Arizona, more particularly described as follows:

Parcel No. 2 described in Trustee's Deed Upon Sale to Waltco of Nevada Profit Sharing Plan, a Nevada Corporation, and to Robhana, Inc., a California Corporation, and recorded 01-19-2011 at recording number 2011-00283 of the Official Records of La Paz County Arizona.

A portion of Section 25, Township 6 South, Range 25 East, San Bernardino Base & Meridian, La Paz County, Arizona, more particularly described as follows:

Lots 1,2,4,25,29,30,31,32,40,41, EMERALD SPRINGS subdivision, according to the plat of record at recording number 97-4026 of the Official Records of La Paz County, Arizona, being the same land described in the following deeds: Lots 1,29,30,31,32,40 & 41 EMERALD SPRINGS described as Parcel No. 3 in Trustee's Deed Upon Sale to Waltco of Nevada Profit Sharing Plan, a Nevada Corporation, and to Robhana, Inc., a California Corporation, recorded 01-19-2011 at recording number 2011-00283 of the Official Records of La Paz County, Arizona; Lot 2, EMERALD SPRINGS, described in Warranty Deed to Juan Salazar and Terri Salazar recorded 04-20-2010 at recording number 2010-02211 of the Official Records of La Paz County, Arizona; Lot 4, EMERALD SPRINGS, described in Warranty Deed to Dennis Wayne Price and Jacqueline Diane Price recorded 10-10-2008 at recording number 2008-04705 of the Official Records of La Paz County, Arizona; Lot 25, EMERALD SPRINGS, described in Warranty Deed to Luis Corral and Barbara A. Corral recorded 08-15-2012 at recording number 2012-04107 of the Official Records of La Paz County, Arizona.

Exhibit A



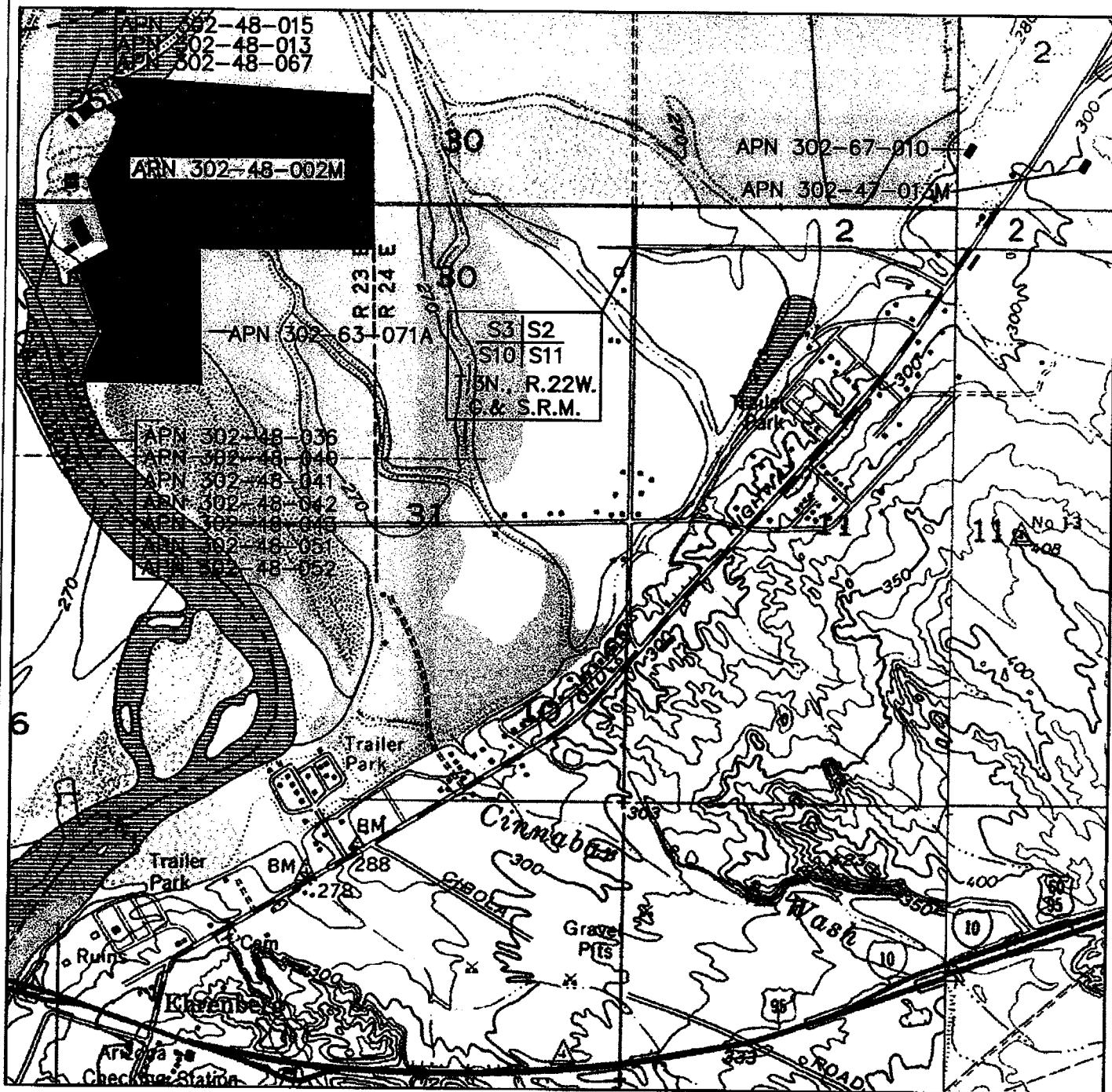
*Ehrenberg Improvement District
La Paz County, AZ*

Exhibit B

EXHIBIT B
LEGAL DESCRIPTION

Assessor Parcel Numbers:

302-47-013M
302-48-002M
302-48-013
302-48-015
302-48-036
302-48-040
302-48-041
302-48-042
302-48-043
302-48-051
302-48-052
302-48-067
302-63-071A
302-67-010



*Ehrenberg Improvement District
La Paz County, AZ*